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C O N F I D E N T I A L ZAGREB 001439

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FOR EUR DICARLO, EUR/SCE HOH/SAINZ/BALIAN/FOOKS

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TAGS: [PREL](#) [PGOV](#) [BK](#) [HR](#) [REGIONAL](#) [ISSUES](#)
SUBJECT: MORE ON BOSNIAN CROAT PROPOSALS FOR BIH
CONSTITUTIONAL REFORM

REF: ZAGREB 1423

Classified By: Ambassador Robert A. Bradtke for reasons 1.4(b) and (d).

¶1. (SBU) Ambassador met December 4 with MFA State Secretary Hidajet Biscevic to follow up on Bosnian Croat proposals for amending the BiH constitutional reform package that Biscevic had given DCM November 30 (reftel).

¶2. (SBU) Parliamentary Houses: Biscevic confirmed that in the proposal the question of Vital National Interests (VNI) would be dealt with only in the House of Peoples, and that deciding on VNI issues would be the only function of that House. Normal legislative functions would be dealt with in the House of Representatives.

¶3. (SBU) VNI areas: Ambassador inquired about the interest areas for which a VNI could be invoked; could it really be limited to just a few items such as language and culture? Although Biscevic's initial reaction was that it could be, when we showed him the list of twelve VNI areas in the current constitutional reform package he admitted that the list of twelve was probably what the Bosnian Croats had in mind.

¶4. (C) Other communities' views: Ambassador asked Biscevic how confident he was that RS PM Milorad Dodik really agreed with the Croat proposals. Biscevic replied that the Croats claimed they had shared it with Dodik and he agreed. Biscevic said he had also been in touch with Sulejman Tihic and the Party of Democratic Action (SDA), who have agreed in principle to the proposal, but will not comment publicly upon it until they know Washington's position. With Washington's support, Biscevic said, both the Bosniaks and the Croats will come forward.

¶5. (C) Biscevic added that the BiH HDZ and HDZ 1990 had met over the weekend at his initiative and that they had agreed on a common position vis a vis these proposals.

¶6. (C) Finally, Biscevic said that the GOC was seriously considering other options for strengthening the regional and political position of BiH. One of these could be, he noted, GOC support for placing the new secretariat for the Southeast Europe Cooperative Process (SEECp) in Sarajevo. He cautioned that PM Sanader had not yet agreed to this, but that was likely to be the final GOC position.

¶7. (C) Comment: While we are not in the best position to judge the political realism of the proposals the Bosnian Croats are relaying to us via Biscevic, we believe the GOC is trying to play a positive role in BiH and may have helped moderate Bosnian Croat demands for changes. From our limited perspective, it would appear that the only change in our original package would be the requirement that both Constitutional Court judges of the community invoking VNI

concur in a negative Court decision. We leave it to Embassy Sarajevo and Washington whether this is a reasonable price to pay for Bosnian Croat support for our package.

BRADTKE